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Worldwide Report

LAW OF THE SEA

No. 189



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CONTENTS

WORLDWIDE AFFAIRS

- Sweden's Foreign Minister: Give in to USSR Baltic Demands
(SVENSKA DAGBLADET, various dates)..... 1
- 'Only Way To Solve' Impasse, by Hans O Alfredsson
Paper Criticizes Foreign Minister, Editorial
Security Concerns Raised

ASIA

INTER-ASIAN AFFAIRS

- Malaysia, Indonesia Sign Sea Treaty
(ANTARA, 26 Feb 82)..... 4

AUSTRALIA

- Gippsland Basin Oil Search Turns to New Well Locations
(THE AGE, 23 Dec 81, 5 Jan 82)..... 5
- Whale 1 Washout
Positive Results, by Mark Brolly
- ESSO-BHP Plan New Drilling Program on Exmouth Plateau
(Bruce Jacques; THE AUSTRALIAN, 24 Dec 81)..... 7
- Aborigines Lay Claim to Sea Bed Adjacent to Tribal Land
(Mark Dando; THE AGE, 4 Jan 82)..... 8
- Briefs
North West Shelf Gas 9

INDIA

- U.S. Return to Talks Endangers Agreement
(S. Sahay; THE STATESMAN, 4 Feb 82)..... 10

- Briefs
Fishermen Attacked 12

NEW ZEALAND

- Limiting Foreign Access to Fishing Zones Not Considered
(THE PRESS, 27 Jan 82)..... 13

SRI LANKA

- South Asian Nations Combat Marine Pollution
(THE WORKING PEOPLE'S DAILY, 22 Jan 82)..... 14

THAILAND

- Foreign Restrictions on Fishermen Hit Industry
(DAO SIAM, 16 Dec 81)..... 15

LATIN AMERICA

TRINIDAD AND TOBAGO

- Fishing Problems With Venezuela Worsen; Talks Under Way
(TRINIDAD GUARDIAN,, 27 Jan, 2 Feb 82)..... 16

Panday Call for Mission
Threat to Fishermen

SUB-SAHARAN AFRICA

ANGOLA

- Briefs
Fishing Cooperation With Nigeria 17

MOZAMBIQUE

- Briefs
S. African Fishing Boat Still Held 18

SENEGAL

Largest Fishing Project in World Planned (Abdallah Faye; LE SOLEIL, 18 Jan 82).....	19
--	----

WEST EUROPE

INTERNATIONAL AFFAIRS

EC Struggles for Common Position on LOS Treaty (NEUE ZUERCHER ZEITUNG, 5 Feb 82).....	21
--	----

DENMARK/GREENLAND

Briefs	
Denmark, Greenland Shrimping Agreement	23

GREECE

Multi-Country Involvement in Greece-Iran Ship Controversy (ELEVTHEROITYPIA, 2 Feb 82).....	24
---	----

Briefs	
Freighter Detained in Turkey	26
Sailors Detained in Libya	26

SWEDEN'S FOREIGN MINISTER: GIVE IN TO USSR BALTIC DEMANDS

'Only Way to Solve' Impasse

Stockholm SVENSKA DAGBLADET in Swedish 3 Feb 82 p 6

[Article by Hans O. Alfredsson]

[Text] Sweden must compromise if the Baltic Sea boundary dispute is to be solved. This was stated by Foreign Minister Ola Ullsten (Liberal Party) in parliament last Tuesday.

Since the Soviet Union refuses to turn to arbitration, there are only two alternatives, Ullsten stated: the first is to let the problem remain unsolved, which would harm Sweden.

The second is to reach a compromise.

Against this background, Sweden is prepared to alter its position in subsequent negotiations. Previously Sweden has maintained that the boundary of the continental shelf and the fishing zones should run midway between Gotland and the Baltic coast. The Soviet Union, on the other hand, believes that the boundary should run midway between the Swedish and the Soviet mainland.

Dissatisfaction on Gotland

Gunhild Bolander (Center Party), who questioned Ullsten on the matter, was not satisfied with Sweden's willingness to compromise:

"We who live on Gotland fail to understand that there is any reason whatsoever to make concessions. I truly hope that the government will assert this opinion."

Gunhild Bolander pointed out that there are gas and oil reserves in the Baltic Sea and that influential forces have an interest in getting at these reserves.

"That is precisely why it is important for Sweden to settle this issue," Ullsten replied.

Long Negotiations

He also pointed out that Sweden has legal support for its standpoint and, consequently, the Soviet Union does not. Negotiations have been under way since 1969. The most recent round was several weeks ago, but the two countries could not agree at that time, either.

Ullsten stated that Gunhild Bolander was poorly informed. He consoled her, however, by stating that she was not alone in her misunderstanding of the problem. He said that the Conservative Party also should study it more carefully--perhaps with the help of an expert.

Paper Criticizes Foreign Minister

Stockholm SVENSKA DAGBLADET in Swedish 4 Feb 82 p 2

[Editorial]

[Text] Negotiations on the boundary between Sweden and the Soviet Union in the Baltic Sea have been under way since 1969--without results. Of course, this is not surprising. Negotiations between Norway and the Soviet Union on the boundary in the Barents Sea also have failed to lead to an accepted boundary.

When yet another meeting was held in Stockholm recently, SVENSKA DAGBLADET criticized two aspects of the negotiations. In both cases, Sweden's willingness to make concessions was questioned. It was hardly acceptable to resume negotiations such a short time after the submarine incident in the Blekinge Archipelago. The problem was compounded by Sweden's willingness to compromise which, of course, was met with no similar response on the part of the Soviet Union.

The negotiations occur behind closed doors, but when Foreign Minister Ola Ullsten responded to a question in parliament by stating simply that we must compromise, he not only gave the other side a trump card, but also sold out Swedish interests.

As we know, Sweden claims that the boundary of the continental shelf and the fishing zones should be drawn midway between Gotland and the Baltic coast. The Soviet Union maintains that it should be drawn midway between the Swedish mainland and the Baltic coast, so that the boundary would be just past the Swedish territorial water off Gotland--near restricted military areas.

Unlike the Soviet solution, the Swedish solution may be seen to have a foundation in law. What does the foreign minister have to say about that? Well, since Sweden is right and since the Soviet Union refuses to

submit the boundary dispute to arbitration, then Sweden must give in to the superpower on the other side of the Baltic Sea. Otherwise, the boundary line never would be drawn, to the detriment of certain interests.

The questioner, Center Party representative Gunhild Bolander, was dissatisfied with Ullsten's meddling, of course. It is also true, as Conservative Party member of parliament Carl Bildt stressed in a speech on Gotland recently, that vital Swedish interests are at stake.

The boundary issue affects our security policy as well as our fishing, resources, and environmental interests.

Actually, the issue is more far-reaching. In other problem areas, even when other countries are involved, Moscow could point to the accommodating attitude of Sweden as an example--once this attitude has been developed to the extent that it satisfies all Soviet interests. Other countries may ask why they should not enjoy the same attitude in matters of fundamental importance.

Ullsten himself must see what a strange picture of a liberal foreign minister he is creating when, after first stating that we are right, he turns around and betrays Swedish interests.

Security Concerns Raised

Stockholm SVENSKA DAGBLADET in Swedish 5 Feb 82 p 7

[Article: "Simple Question on New Soviet Boundary"]

[Text] After Foreign Minister Ola Ullsten declared that Sweden must be prepared to compromise with the Soviet Union on the Baltic Sea boundary and relinquish areas east of Gotland, member of parliament Carl Bildt (Conservative Party) asked Defense Minister Torsten Gustafsson (Center Party) if this would affect our security interests. The defense minister will answer Bildt's question next week at the earliest. Ullsten stated in a parliamentary debate with Bildt that the Conservative Party should read up on the matter and obtain some expert advice for its members of parliament on the boundary problem in the Baltic Sea.

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CSO: 5200/2041

MALAYSIA, INDONESIA SIGN SEA TREATY

BK260835 Jakarta ANTARA in English 0755 GMT 26 Feb 82

[Text] Jakarta, 26 Feb (ANTARA) -- Foreign Minister Mokhtar Kusumaatmaja and his Malaysian counterpart Tan Sri Ghazali Shafie Thursday [25 February] morning signed here a treaty, whereby Malaysia recognizes the legal regime of Indonesia as an archipelagic state. Indonesia in return recognizes the traditional and other valid rights of Malaysia with respect to certain parts of Indonesian waters and airspace between west and east Malaysia.

Mokhtar referred to the treaty as the culmination of friendly relations between the governments and peoples of the two countries, and the crowning of time-consuming series efforts. It was also a product of the mutual understanding and trust as well as good will the two sides had shown during negotiations which lasted over 1 year, he said.

In signing the treaty, the two countries not only acted on the line of the memorandum of understanding reached in July 1976 but also translated into effect one part of the draft Law of the Sea prepared by the Law of the Sea Conference even before the convention itself had been adopted, Mokhtar noted.

This shows that the convention, if carried out in complete sincerity and effectively, will serve as a guarantee for the maintenance of international peace and security and at the same time lay the basis for the welfare of nations.

Mokhtar pointed to the signing of the treaty not only as the successful end to strenuous efforts on both sides for the drawing up of a unique and multifaceted document, but even as the start of a new period in relations between Indonesia and Malaysia. Mokhtar added that after its ratification and coming into force the treaty would form the legal framework for stepped up cooperation between the two countries in safeguarding the territorial integrity of the two countries, in protecting their air and sea links as well as telecommunication facilities, their fisheries and their sea environment, and facilitate their search and rescue operations as well as marine research.

Foreign Minister Tan Sri Ghazali Shafie in his address said the treaty reflected the joint desire of the two countries to always cooperate closely in facing any common problem. He said the Malacca Strait and the South China Sea cannot separate the two countries, but on the other hand form a communication link between Indonesia and Malaysia, which have the same ideals and aspirations. "Nothing whatever should be allowed to separate us," Tan Sri Ghazali Shafie said.

He referred to the treaty as the most comprehensive ever signed by Malaysia with Indonesia covering a variety of common defence, including the holding of military exercises either separately or jointly, on the sea and the air.

The world should be made to realize that Indonesia and Malaysia are bound by close ties, so that no one whomever will have the desire to disrupt the situation. It is like being pinched in the right leg, and feeling the pain in the left leg too, he added. The foreign minister also noted that, in connection with the Law of the Sea, big countries should realize that to small island countries, in particular, the seabed constitutes something very important.

GIPPSLAND BASIN OIL SEARCH TURNS TO NEW WELL LOCATIONS

Whale 1 Washout

Melbourne THE AGE in English 23 Dec 81 p 19

[Text]

Hudbay Oil's second attempt at a flow test in Whale 1, in the Gippsland Basin, has failed but another attempt will be made, Hudbay said yesterday.

The first test showed no hydrocarbons and the second failed because of plugging in the test tool.

Hudbay aims to test indications which appeared during drilling.

Because of the cost involved it must be optimistic about the prospect, which is in a structure which compares with some of the smaller producing accumulations in the basin.

The top zone of interest is being tested and if the next attempt fails the rig will be moved to spud Sperm Whale 1, in about 56 metres of water 18 kilometres west-south-west of Whale 1.

Positive Results

Melbourne THE AGE in English 5 Jan 82 p 15

[Article by Mark Brolly]

[Text]

An oil and gas consortium operating in Bass Strait has found "strong positive indications" of hydrocarbons in the latest of four wells sunk during its drilling programme.

Beach Petroleum NL said yesterday that traces of hydrocarbons were found in a sandstone formation between 806 and 844 metres in the well, Sperm Whale No 1.

The well is in the southern area of the consortium's Vic P11 permit area of the Gippsland Basin.

A spokesman for Beach said the results of drilling had been recorded by instruments on the deck of the exploration rig, but that flow tests had not been done at the well yet.

The spokesman said there had been a small delay in work at the well due to a plugged drilling bit, but this had now been fixed.

The well was expected to reach its total depth of 1400 metres late this week or early next week when further tests would be made.

Another well could be drilled in the Sperm Whale area to discover the extent of any find, depending on the results of these tests.

Beach, Hudbury Oil (Australia), which is Canadian-controlled, and Gas and Fuel Exploration NL, a subsidiary of the Gas and Fuel Corporation, will each have a one-third interest in Vic P11 when drilling at Sperm Whale No 1 is completed. Hudbay is operator of the field on behalf of the consortium.

Vic P11 was awarded to Beach and the Gas and Fuel Corporation in 1978 and the well at Sperm Whale, includes the West Sechorse, Baleen and Whale wells. Hudbay joined the con-



sortium and became operator late in 1980.

Last October, the consortium reported a flow of 1800 barrels of oil a day from West Seaborne, the first well drilled in Bass Strait by anyone other than Esso-BHP for about 20 years. Beach has searched for oil for more than 20 years and the West Seaborne find was its first success.

Raleen No 1 also looked promising when early drilling found hydrocarbon traces, but gas flows were poor and the well was plugged and abandoned. Last month, Beach said detailed log and side wall evaluation in the Whale No 1 well had indicated the possible presence of hydrocarbons, but attempts to conduct formation

sample tests had been inconclusive.

The Sperm Whale structure is separate from those drilled previously by the consortium in Bass Strait. The 17 1/4-inch hole at Sperm Whale has been logged to a depth of 720 metres and the thirteen-and-three-eighths-inch casing has been cemented to a depth of 710 metres.

Drilling activity in Bass Strait has increased since the State Government put three former Esso-BHP areas up for tender in 1981 and, apart from the new groups, Esso-BHP itself has started a new \$160-million programme in which it plans to drill 30 wells in the offshore Gippsland Basin over the next three years.

CSO: 5200/7517

ESSO-BHP PLAN NEW DRILLING PROGRAM ON EXMOUTH PLATEAU

Canberra THE AUSTRALIAN in English 24 Dec 81 p 15

[Article by Bruce Jacques]

[Excerpts]

ESSO and BHP are again planning to bet against heavy odds by returning to the Exmouth Plateau — so far the deepwater graveyard of the Australian oil exploration industry — with a drilling program estimated to cost at least \$60 million.

The partners have proposed the program to the West Australian and Federal governments and permit conditions are now being finalised.

Esso and BHP plan to contract the Sedco 672 dynamically positioned drillship, the same one they used for their previous Exmouth program. It is available late next year or early in 1983.

The new program will involve three or four wells and follows a reappraisal of information gained in the partners' expensive but unsuccessful drilling program during 1979-80.

Esso-BHP and the other Exmouth explorers have found that although their seismic was correct and the large structures are certainly present on the Plateau, they contain gas and not oil.

Because of water depths of about 1200m on the Plateau — the deepest water targets ever drilled in Australia — gas found there is uneconomical and likely to be that way for many years.

In fact, even with oil, only very big discoveries on the Plateau would be capable of economic exploitation, even at ruling world parity prices of about \$32 a barrel.

CFO: 5200/7517

ABORIGINES LAY CLAIM TO SEA BED ADJACENT TO TRIBAL LAND

Melbourne THE AGE in English 4 Jan 82 p 1

[Article by Mark Dando]

[Text]

Two groups of Northern Territory Aborigines are claiming "land rights" over part of the sea bordering their tribal areas.

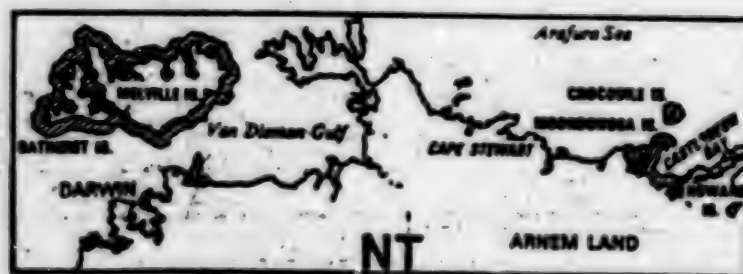
Under the little-known provision of the territory's land rights law, two groups of traditionalists of underwater sacred sites in an attempt to have the sea bordering their land declared off limits to outsiders.

If the Territory Government agrees, up to two kilometres of the sea surrounding Bathurst and Melville Islands, and along a 100-kilometre stretch of the Arnhem Land coastline will be closed to all but the traditional occupiers.

Other than in an emergency, others would be prohibited from entering a closed area of sea. The only exceptions would be people travelling on vessels between two points outside the area, and commercial fishermen holding licences valid for the area and issued before its declaration.

The Tiwi Land Council, acting on behalf of the people of Bathurst and Melville Islands, and the Northern Land Council, on behalf of the people of Milngimbi in Arnhem Land, have supported the applications with a claim that outsiders have depleted fish stocks.

Under Section 12 of the Northern Territory Aboriginal Land Act of 1978, the administrator of the



The shaded areas show the suggested sacred sites.

the Territory, acting on the advice of the Executive Council — effectively the Cabinet — may close the sea for a distance of up to two kilometres from Aboriginal land. But first the Aboriginal Land Commissioner must investigate and report on the claim after giving the public a chance to object.

The first two claims, relating to Bathurst and Melville Islands and part of the Arnhem Land coastline, are before the commissioner, Mr Justice Toohey. The latest application, for a 16-kilometre extension of the original Arnhem Land claim, was advertised by the Northern Territory Government on Saturday. Individuals and groups wishing to express a view on the application have until 22 January to do so.

Mr Les Penhall, the senior executive officer (land and sea claims) of the Department of the

Chief Minister, said yesterday that sacred sites or "sites of significance" included rock formations on certain islands and submerged and partially-submerged rocks and reefs. They varied from small areas to those with a radius of a kilometre or more.

He said his department and others would examine the applications and any representations, and report to Cabinet, which would also have Mr Justice Toohey's reports to consider. The commissioner had not yet decided when to hold public inquiries on them, Mr Penhall said. But the three applications were likely to be dealt with this year.

It is not known what attitude the Northern Territory Government will take towards the applications. The Chief Minister, Mr Everingham and his spokesman were both on leave and unavailable for comment yesterday.

BRIEFS

NORTH WEST SHELF GAS--Big changes are likely to be made to the contract for the supply of natural gas from the North West Shelf gas project to Western Australia. This follows confirmation that gas supplies under the contract will be initially about 35 per cent more than the available demand. Yesterday it was learned that the State Energy Commission of Western Australia is working urgently on plans to increase demand rapidly so that its liability under the contract with the North West Shelf ventures can be reduced. The present arrangement provides for the SEC (WA) to take 384 million cubic feet of natural gas a day from the shelf beginning in September 1984. On present indications by the time delivery begins the SEC (WA) will have a surplus of gas running up to 100 million cubic feet a day. Prices negotiated for the take-or-pay contract remain secret, but it is believed that the SEC (WA) has arranged with the joint venturers that the price in 1984 terms will be more than \$2 a 1000 cubic feet. This means that if the present contract remains in force, the SEC(WA) would be faced with a payout of some \$200,000 a day for gas it could not sell, equivalent to an annual operating cost of more than \$70 million. [Excerpt] [Melbourne THE AGE in English 5 Jan 82 p 15]

CSO: 5200/7517

U.S. RETURN TO TALKS ENDANGERS AGREEMENT

Calcutta THE STATESMAN in English 4 Feb 82 p 8

[Article by S. Sahay]

[Text]

PRESIDENT Reagan's decision, taken last week, that his country should return, after a lapse of about a year, to the U.N. Law of the Sea negotiations, will hardly enhance the prospects of an early convention. The alterations suggested by him in the draft convention are so fundamental that the Third World will find it hard to accept them without compromising with the basic U.N. principle that the seas are the common heritage of mankind. Had the USA continued to stay out, the delegates' task, when they meet in March, would have been easier. They could have gone ahead with the convention, as they were in a mood to the last time they met, and let the USA ignore the convention and go ahead with the national law it has enacted on deep sea-bed mining and farm out the sea among industrialized nations which already have such laws and thus flout world opinion and convention. Now they will have to resist the USA from within.

INTERESTS

President Reagan has declared that, while most of the provisions of the draft convention are consistent with U.S. interests, some major provisions concerning the deep sea-bed mining regime have been found wanting. He has indicated that the convention must not deter the development of any deep

sea-bed resources to meet national and world demands. It must assure the access to the sea-bed of American companies, present and future, and enhance security of supply. It must avoid monopolization of these resources by Enterprise, the operating arm of the International Sea-bed Authority. It must promise economic development of the sea resources. It must provide the USA a decision-making role in the deep sea-bed regime that fairly reflects, and effectively protects its political and economic interests as well as the financial contribution that may be made by it.

Further, the Convention must not allow for amendments to it without the approval of the participating States—in the case of the USA without the advice and consent of the Senate. It must not set undesirable precedents for international organizations. It must not contain provisions for the mandatory transfer of private technology. Lastly, it must not provide for participation by and funding for national liberation movements (such as the Palestinian Liberation Organization).

In order to appreciate the nature and extent of Mr Reagan's demands it would be useful to recall the actual provisions in the draft convention. It envisages an International Sea-bed Authority. All the States signing the convention would be members of the Authority,

whose principal organs would be an assembly, a council and a secretariat. The assembly would assist all members of the Authority, each member having one vote. It would be the supreme organ of the Authority and the other principal organs would be accountable to it. The council, the executive organ of

the Authority, would consist of 36 members, from the eight States having the largest invest-

ment in sea mining, four from the countries which have either consumed more than two per cent of the categories of minerals to be mined from the sea or have imported more than two per cent of such commodity, four from the major exporting countries, six from among the developing States, and 18 to be elected. It would settle specific policies already laid down by the Authority. The secretariat would have a secretary-general and such other staff as the Authority may determine.

The draft convention envisages that all deep sea-bed mining would be controlled by the Authority. It would conduct its own mining through enterprise and enter into contracts for mining rights with private and State ventures. A private or public firm would submit to the Authority two possible sites, one to be exploited by the firm itself and the other by the Authority. The initial capital for the Enterprise would come from members, in proportion to

their contribution to the U.N. States or private firm, must pass on the know-how to it.

Before the Reagan Administration decided to keep away from the negotiations in order to review its position, only four major issues remained to be settled. These concerned the composition, powers, functions of the preparatory commission, the protection of interim investments made in the international sea-bed area, participation in the convention by international organizations and liberal movements and delimitation of maritime zones between opposite and adjacent States.

RATIONALE

The American rationale for its decision, which hardly surfaces in the cryptic announcement by Mr Reagan, was provided by the American representative at the Law of the Sea Conference, Mr J. L. Melone, in a statement in April last year to a congressional sub-committee. He said that, while the USA had sought to protect its own oceanic interests, developing countries had approached the negotiations with a different perspective and had sought economic concessions from the industrialized world, chiefly in deep sea-bed mining. He emphasized that, increasingly, important compromises had been made by American negotiators, some of which were inconsistent with the goals of the new Reagan Administration.

Mr Melone was unimpressed by the argument that the USA was failing to keep its commitments and had, in fact, been changing its position on subjects of importance. Developing countries, he argued, had been changing their positions too. No nation was committed to the text of the draft convention. A successful treaty must be based on a package deal.

A fact-sheet released by the White House along with Mr Reagan's statement emphasized that the USA is unable to reconcile itself to the policy determined on the one-nation one-vote principle. It wants weightage for itself and for the other developed countries. It wants permanent or guaranteed representation, commensurate with its economic and political interests. It does not want to give competitive advantages to a supranational mining company—Enterprise. It does not want to transfer technology either to Enterprise or to developing countries. It does not want "burdensome regulations" to be put on an "infant" industry. It does not want large financial burdens to be imposed on industrialized countries.

What needs to be emphasized is that, for the last 16 years, the Law of the Sea Conference has been struggling at a draft convention, writing, revising and re-revising it. The crux of the matter has always been the question of deep sea-bed mining. The success or failure of the convention will entirely depend on the provisions made concerning it. It was at Dr Henry Kissinger's suggestion that the idea of parallel mining, by private or State concerns on the one hand and by Enterprise on the other was mooted. By going back on what the USA itself had sponsored in the past, President Reagan has submitted to the demands of the international cartels.

CARTELS

From the very beginning the USA and the other developed countries have kept their options open. While taking part in the Law of the Sea Conference, some of them have gone ahead with national legislations on deep sea-bed mining and

quite a few of them have formed cartels. There have been secret conferences among some of the developed nations and there is going to be at least one more conference before the Law of the Sea conference meets in March.

The Third World nations are going to meet too to decide their strategy. The problem facing them is by no means easy. If they ignore the USA, which has the know-how and the funds, the Law of the Sea conference would not amount to much, especially when the possibility exists of some developed nations backing the U.S. position. But if they do succumb to the U.S. pressure they shall have given international legitimacy to planned American loot of the sea. For the USA the world has not changed much. It wants the Law of the Sea convention to show the same weightage in favour of the big Powers that the U.N. Charter does. That is the meaning of President Reagan's insistence on the Law of the Sea convention not setting undesirable precedents.

Must 16 years' efforts go in vain? For the first time in world history a comprehensive law on all aspects of the sea has been formulated. It encompasses coastal States' jurisdiction over living resources and over the continental margin, limits of the territorial sea, navigation and overflight rights, delimitation of boundaries, rights of landlocked and geographically disadvantaged States. It also includes protection of the marine environment, freedom of marine research and peaceful settlement of disputes. These obviously suit the USA and it has made no objections. But to give in on the mining rights issue would be to fashion an international agreement entirely to suit U.S. needs and designs.

INDIA

BRIEFS

FISHERMEN ATTACKED--Madurai, Jan 28--More than a dozen fishermen in 15 mechanised boats were attacked by Sri Lanka Navy vessels near Rameswaram on Thursday. The Secretary of the Vercottu Fishermen's Association, Rameswaram, Mr Arulanandam said the boats were in Indian waters. There was no firing, but the Indian fishermen were assaulted. Their prawns and nets were snatched away by the intruders. The Secretary said the impact of the assault would be known only after the fishermen reached the shore. [Text] [Madras THE HINDU in English 29 Jan 82 p 5]

CSO: 5200/7027

LIMITING FOREIGN ACCESS TO FISHING ZONES NOT CONSIDERED

Christchurch THE PRESS in English 27 Jan 82 p 10

[Text]

PA Tauranga

Limiting foreign access to any fishing zones around the New Zealand coast was not being considered by the Government, fishermen in Tauranga were told by the Minister of Agriculture and Fisheries (Mr MacIntyre.)

He was attending the christening ceremony of Sanford's new \$3 million purse seiner San Colomba, just arrived after a 30-day voyage from Seattle.

The 33-metre seiner, with a capacity of 200 tonnes, will fish between North Cape and East Cape for skipjack tuna and other lagic fish species.

It replaces the seiner San Benito, lost on a reef near Mayor Island in the Bay of Plenty in September.

Mr MacIntyre said: "There are important decisions to be made this year."

"We must make decisions on whether our deepwater fishery should continue on a joint venture basis, move over to vessels owned and

manned by New Zealanders, or be open to wholly foreign vessels.

"It could well be that in some areas we will need to start putting some pressure on foreign boats."

Demands by New Zealand fishermen to close some zones round the coast to all foreign fishing boats would not be considered seriously.

Mr MacIntyre also said the door was already open to New Zealand companies wishing to buy fishing boats overseas when comparable ships could not be built in this country.

"Any New Zealand company with the money can go and buy a ship overseas today if it is suitable for our conditions and meets survey requirements."

On the Government's decision to defer for 12 months the waiving of the 20 per cent import duty on fishing vessels he said: "This was to have been removed for 1982 to help build up the New Zealand-owned deep water

fleet. But it has now been deferred until 1983."

The deferment was a bid to make sure that a "gold rush" did not develop to the long-term detriment of the fishing industry.

"When we announced the removal of duty, it soon became evident that there was to be a flood of applications to import vessels," he said.

"There is no doubt the fishing resource round New Zealand has limits, and it would not be in anybody's interests to expand too fast and have more ships than the fishery can support.

"There is no restriction on importing ships if duty is paid," he said.

The chairman of Sanford, Mr D. Goodfellow, said at a luncheon associated with the christening that, "the present import duty is a major disincentive to ordering more large new fishing vessels capable of exploiting new grounds and species."

CSO: 5200/9081

SOUTH ASIAN NATIONS COMBAT MARINE POLLUTION

Rangoon THE WORKING PEOPLE'S DAILY In English 22 Jan 82 p 6

[Text]

COLOMBO, 20 Jan—Sri Lanka has offered to host a meeting of South Asian countries this year to adopt a plan for regional cooperation to combat marine pollution, a Government official said today.

The adoption of such a plan was recommended by a meeting of officials of Bangladesh, India, Maldives and Sri Lanka held here last week and organized by the Inter-governmental Maritime Consultative Organization (IMCO), the official said.

The meeting noted that due to the very high degree of tanker traffic Sri Lanka and the west coast of India were placed in "a high risk zone" concerning threatened oil spills, he said.

It was agreed that all South Asian countries should pool their resources to combat pollution which could have disastrous effects on their tourism and fishing industries.

The risks arise not only because of off-shore oil tanker routes and oil exploration, but also because of oil transfer operations at sea and oil handling activities in ports, the official said.

A model framework for regional cooperation on marine pollution prepared by IMCO was discussed by the officials and it was agreed that South Asian Governments should submit their comments on it before the end of April to the IMCO Secretary-General.

CSO: 5200/4901

FOREIGN RESTRICTIONS ON FISHERMEN HIT INDUSTRY

Bangkok DAO SIAM in Thai 16 Dec 81 pp 3, 12

[Text] Because neighboring countries have announced territorial water boundaries, Thai fishermen have been shut out of more than 300,000 square kilometers of fishing grounds on the high seas. The government has therefore announced that Thai fishermen may fish only in Thai territorial waters. The results of these changes will create at least two problems.

Problem No 1 is that Thai territorial waters will be overfished. From Fisheries Department figures, it appears that in 1974, 863,274 tons of marine products were caught by the fishing fleet. This was 74 percent of all fish caught [as published]. This means that fishing by other methods brought a catch of only 26 percent of 274,671 tons. Therefore, in terms of effectiveness, with the fleet used to fishing in deep waters, if they fish in such limited territory, the schools of fish will shrink. This will have an effect on Thailand's fishing grounds over the long term. For this reason, the government is trying to find ways to decrease the number of fishing boats, such as by limiting the number of additional fishing boats [in service] each year etc.

The second problem is that Thai fishermen, having gone to sea to fish for so long, depend on their expertise; they have no maps. Thus, it is very easy to cross into the territorial waters of neighboring countries, albeit unintentionally. This results in conflicts between their coastal patrols and Thai fishermen; something no one wants.

Reports from the Fisheries Department say that recent meetings of ASEAN fisheries officials have given rise to the hope that the ASEAN countries will understand Thailand's problems here and will treat with understanding any Thai fishermen who cross their territorial water boundaries and will sympathize with them in the spirit of ASEAN.

CSO: 3200/5634

FISHING PROBLEMS WITH VENEZUELA WORSEN; TALKS UNDER WAY

Panday Call for Mission

Port-of-Spain TRINIDAD GUARDIAN in English 27 Jan 82 p 3

[Text]

OPPOSITION National Alliance leader, Rep. Basdeo Panday (ULF, Couva North) is calling on Government to send a mission immediately to Venezuela to discuss with the Government of that country the problems between Trinidad and Tobago fishermen and the National Guards.

Mr. Panday said that the mission should include members of the Cedros Fishing Association.

The Opposition Leader was referring to reports which said a border guard was assaulted by a fisherman in the Gulf of Paria.

"I do not know whether this report is correct. What I do know is that the fishermen from Icacoe and Cedros are worried over the reported incident, resulting in many of them remaining home or fishing nearby in our waters," Mr. Panday stated.

He is calling on Government to "clear the air" on this matter.

"Was there an incident or not?" asked Mr. Panday. "The fishermen must know the truth of the situation because fishing is their only source of livelihood."

That fear of going out to sea, must be dispelled from their minds, he said, "and it is only the Government can put the minds of the fishermen at ease."

Threat to Fishermen

Port-of-Spain TRINIDAD GUARDIAN in English 2 Feb 82 p 1

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FISHERMEN detained by the Venezuelan authorities on Friday were given a sumptuous lunch and then released, although two of the boats caught operating were not in possession of fishing permits.

On Friday, around 10 a.m., seven boats with 21 men were caught by the Guardia Nacional shrimping off Venezuelan waters. The men were detained but less than four hours later they were on their way back to Trinidad.

However, two boats were detained, and it is understood that negotiations are currently underway for their release.

According to Mr. Aaron Badal, president of the Cedros Fishing Association, this move by the

Venezuelan authorities represented a "thawing out" of relations between Trinidad fishermen and the Venezuelan National Guards.

Dr. Badal said that the men went out to shrimp on Friday following a statement by Venezuelan Ambassador, Dr. Ignacio Silva Sucre that Cedros fishermen should not be afraid to fish in Venezuelan waters.

He also said that the improved relationship between the fishermen and the Guardia was due primarily to efforts by Minister of Health and Environment, Mr. Kamaluddin Mohammed, Minister of External Affairs, Dr. Basil Ince and Dr. Sucre.

Mr. Badal also said that Mrs. Annette Auguste, Trinidad and Tobago's Ambassador to Caracas who was influential in restoring relations between the two countries is expected to visit Tucupita and Perdenales shortly.

He also said that Dr. Sucre was currently considering a request that a Venezuelan representative be stationed in Trinidad to look after distress signals from fishermen.

A meeting between the Venezuelan Guardia Nacional and the Trinidad and Tobago Coast Guard has also been proposed and this is also under consideration.

BRIEFS

FISHING COOPERATION WITH NIGERIA--Cabinda--The purchase of an experimental fishing boat for the province of Cabinda with refrigeration facilities for 250 tons of fish and a crew of 2 Nigerians and 4 Angolans was agreed upon during the course of talks between Nigeria and Angola in the fishing sector. Moreover, a resolution was adopted to make possible experimental fishing in Angolan waters, and also establishing working conditions that will foster the development of a number of projects that were discussed. The talks also centered on the possibility of accelerating the pace of improvement of existing infrastructures in the province in order to rapidly implement the establishment of this enterprise. [Excerpt] [Luanda JOURNAL DE ANGOLA in Portuguese 23 Feb 82 p 1]

CSO: 5200/5637

BRIEFS

S. AFRICAN FISHING BOAT STILL HELD--Durban--Though the family of skipper Willy Hogh-Hansen of Durban has raised the R21 000 fine imposed on him by a Maputo court two weeks ago for allegedly fishing in Mozambique territorial waters, no progress had been made in securing his release, his wife, Mrs Rebecca Hogh-Hansen, said yesterday. A distressed Mrs Hogh-Hansen said that apart from information passed to her by local newspapers about the trial and a message saying he was well, she was in the dark about the conditions under which her husband and his crew were being held. According to her information, her husband's line-fishing boat, Hawk, had been intercepted by the Mozambique coast guard 1,5 miles off Ponta Doubella on February 8. After a court case lasting three days, he was found guilty and fined R21 000. "The money had been raised from private sources but we don't even know at this stage if they will accept it," Mrs Hogh-Hansen said. A Durban shipping company had contacted the Maputo harbour authorities by telex with a request that a message be passed to Mr Hogh-Hansen asking him to contact his family. [Text] (Johannesburg THE CITIZEN in English 25 Feb 82 p 8)

CSO: 5200/5632

LARGEST FISHING PROJECT IN WORLD PLANNED

Dakar LE SOLEIL in French 18 Jan 82 p 3

[Article by Abdallah Faye: "New Unit for Industrial Fishing Fleet"]

[Text] The secretary of state for maritime fishing, his closest associates and a few bank officials were invited last week by the president and director of Senegal-Seafood to cruise on the high seas to appraise the performance of a very sophisticated fishing vessel which the company intends to put into service shortly.

For 2 hours, we, occasional fishermen that we were, were, were able to "familiarize ourselves" with various electronic instruments that permit spotting of fishing banks and assessing their exact tonnage so as to make sure of a substantial catch with practically no risk of failure.

The Senegal-Seafood project intends to manage the entire process, from production to export and transportation, through freezing or processing. This will be the largest fishing plant in the world, with an estimated production of 100,000 tons a year once it goes into regular operation. In 1980, industrial fishing represented only 40,000 tons of the 340,000-ton catch. Four stages are anticipated, each with a target of 25,000 tons. Eighty percent of the production will be marketed in Africa (the market needs are estimated at 1 million tons, of which 10 percent alone will be provided by Senegal-Seafood) and 20 percent in Europe and the United States.

More than 1,000 definite jobs are expected to be created, not counting secondary ones.

Financing of the 4 stages is estimated at 20 billion CFA francs and is entirely assumed by Denmark, without any guarantee request by the Senegalese state. This is so because, as must be noted, the project is solely the work of Danish, Faroese and Senegalese private firms, without any state participation whatsoever. Each stage of the project must become profitable before the next one begins. This profitability can be determined only after 9 months operation.

According to Mr Knud Schierbeck, president of Senegal-Seafood, the experimental stage, which has just begun with the placing of this first vessel into service, is to test the new fishing methods in collaboration with Senegalese fishermen. An appeal has been made to the Senegalese, and it is hoped they will respond.

The company vessels will fish mainly in deep waters—at about the 600-meter depth—which will, according to the president, result in preventing competition with Senegalese fishermen who are mainly engaged in open-sea fishing in relatively shallow waters. During the experimental stage, the experienced Danes will try out new fishing methods which they have already been practicing in their own waters and which they believe could be adapted in Senegal. The first conclusions on the effective start-up of these fishing activities will be determined in 2 months. The start-up includes the setting up of freezing installations, as well as processing, transportation and export facilities in Dakar and Casamance (where naval shipyard facilities are planned), together with a branch in Abidjan, Ivory Coast.

Figureheads

Private Senegalese Firms, which have been asked to raise only their share of the capital, hold 51 percent of the shares, while the Danes hold 49 percent. The secretary of state for maritime fishing has demanded that there be no figureheads involved and the Senegalese partners be really Senegalese! We must see in this exclusive participation of Senegalese nationals in the Senegal-Seafood company the desire of the government never again to set up national fishing companies, such as the SOSAP [Senegalese Fishing Company] which was never able to attain the objectives assigned it by the state. Since that time, the government had decided to encourage private Senegalese nationals to enter the field, especially by making available maritime credits to permit them to bear up to the almost savage competition by foreigners who enjoyed having the funds necessary to get into the fishing field. This is why initiatives of this type are encouraging since they will result in balancing out the private individual and industrial fishing percentages by the end of the fourth plan. While private individual fishing has represented 80 percent up to now, industrial fishing has had trouble even surpassing 20 percent. Mr Sogui Diouf, director of oceanography and fishing, asserts that both forms of fishing will balance out to 50 percent each by 1985. This could only have a beneficial effect on our export revenues which are close to 32 billion CFA francs.

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CSO: 5200/5625

INTERNATIONAL AFFAIRS

EC STRUGGLES FOR COMMON POSITION ON LOS TREATY

Zurich NEUE ZUERCHER ZEITUNG in German 5 Feb 82 p 4

[Text] From 8 March to the end of April another--and possibly the last--meeting of the Third J.N. LOS Conference will take place in New York. Thus far, the EC countries at this conference have not had a common position, the EC is not even officially represented, and its representatives at best tried behind the scenes to pull some things together. In the opinion of the EC Commission certain passages in the draft of a convention are, however, extremely problematic, and thus it decided to send the EC Council of Ministers a report which is aimed at assuming a common position in New York. The key of the Brussels paper is the demand for renegotiation of Chapter XI (Deep-sea Mining). The present draft is denigrated by the EC Commission as an international distribution system which is deemed too interventionist and controlled. Last year in Geneva the Reagan administration also came to a similar judgment, once again raising questions about the position authorized by its predecessors. At earliest at the end of February in the EC Council of Foreign Ministers it will become apparent what the position of the EC countries is in respect to the deliberations of the office in Brussels.

Sellout of European Interests?

In its report to the Council, the EC Commission does not reject the entire convention draft of the Third LOS Conference, but does express concern about Chapter XI of this paper which deals with deep-sea mining. EC Commissioner Narjes says that the EC, in accepting this text draft, would be selling its long-term interests about whose effects nothing at all is known today. In fact, "cautious" action in New York is of special importance for the EC, for, after all, it is no less than 75-percent dependent on mineral raw materials. Thus, it may come as a surprise that thus far in the question of deep-sea mining there was no common position at the Third LOS Conference which, of course, has been meeting since 1973.

The authorities in Brussels are criticizing in the draft of Chapter XI the fact that in the first place it is not adequate for the Community's interest in a secure supply of raw materials, that in the second place it contradicts the economic interests of the developing countries which do not produce raw materials, and that in the third place it could not be accepted as an unwanted precedent for the "new world economic order." The privileged position of the future office for deep-sea mining came under special fire by Brussels to the effect that

it will make access to the now known and later to be discovered fossil and mineral raw materials more difficult and increase the cost. This is all the more alarming as the earth's raw materials are often distributed geographically in a way that is easily affected by crises. The text draft neither guarantees a supply which is crisisproof in any conceivable situation, nor is it in the interest of the EC to leave to the majority decision of any international authority the time, quantity, place and cost of access to the ocean's mineral sources. According to EC Commission groups, the overall effort toward regulating deep-sea mining is in stark contrast to the liberal ground rules of GATT (General Agreement on Tariffs and Trade). Apparently not all EC countries have seen the explosiveness of the draft "correctly" or do not want to see. Otherwise this rather surprising move by the EC Commission could not be justified. Naturally, European industry might also have come calling in Brussels for understandable reasons in order to point to the potential dangers and risks of the text draft.

Thus, it may not even be surprising that prior to passing the resolution, the debate in the EC Commission about the expedience of a Commission move had proceeded in a very controversial manner. The O'Kennedy and Dalsager cabinets in any case spoke their piece at an extraordinary meeting of cabinet chiefs--they prepare the business for their commissioners--at the end of January against any initiative by the Commission in this matter, and even the Ricard and Ortoli cabinets harbored some doubts. They not only cast doubt on the legal basis for a forward push by the EC Commission, but rather referred to the possible reproach that the EC would provide undesirable pacemaking services to the United States by fighting against the draft of Chapter XI.

Essential International Control

International control, as soon as possible, on implementing extraction of raw materials from the deep sea is also urgently necessary for the EC Commission because in the foreseeable future the mining of important materials, cobalt, copper, manganese and nickel, from the bottom of the sea might become reality. But since the regulation provided for thus far does not take European raw materials interests sufficiently into account, it is important for Brussels that the community of 10 speak in one voice at the next meeting of the Third LOS Conference in order to be able to effectively defend their interests in the negotiations about the development of deep-sea mining. Furthermore, a common position is important in order to guarantee the conditions for a more just distribution to developing countries of the yields from the economic exploitation of the bottom of the sea. In particular, it is a question also of making sure that the future controls on deep-sea mining do not have prejudicial effects on the development of the world economic order. Precisely in this point, however, the development policy demands of the EC could cause a dilemma.

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CSO: 5200/2038

BRIEFS

DENMARK, GREENLAND SHRIMPING AGREEMENT--Three Danish shrimp trawlers can now again start to fish shrimp in Greenland waters. In a meeting Friday /26 February/, Fisheries Minister Karl Hjortnaes found understanding in the Greenland government for opening shrimping in Greenland waters to Danish shrimpers. The three Danish shrimping trawlers had been refused permission to fish for shrimp in Greenland waters, in contrast to both Norwegian and Faeroese shrimpers, who won permission as part of larger fishing agreements among the three countries. Last year the Danish government succeeded in getting licenses for the trawlers after negotiations with the Greenland government. /Text/ /Copenhagen BERLINGSKE TIDENDE in Danish 27 Feb 82 p 5/

CSO: 5200/2049

MULTI-COUNTRY INVOLVEMENT IN GREECE-IRAN SHIP CONTROVERSY

Athens ELEVTHEROTYPIA in Greek 2 Feb 82 p 8

[Text] Salonica, 2 February (from our correspondent Dimitris Kaisis)--A tough legal battle has broken out around a Greek cargo of 25,000 tons of wheat which was destined for Iran but, for the present, remains at port in Salonica. The Iranian state, a Swiss bank, two Panamanian shipping companies, the Agricultural Bank [of Greece] and KYDEP [Central Service for the Separation of Domestic Products], which owns the wheat, have all become involved in the affair.

The affair began last November when two ships flying Panamanian flags were detained by Iranian authorities at the port Barar Khomeini.

The two affected Panamanian companies, "Sol Shipping Company" and "Magnate Shipping Company," through their attorney, G. Athanasiadis, made repeated appeals for insurance measures to the Thessaloniki Court of First Instance. They intend to show that the Iranian government is concealed behind the Swiss company "Noga," which presents itself as buyer of the wheat.

Essentially, at any rate, the two foreign companies' appeals are turning against KYDEP and the Agricultural Bank which financed the collecting of the wheat from our farmers.

For the present, and until the court has decided on the case's merit, with a provisional order it has forbidden the ship "Adaios," which carries the contested cargo, to depart from the port of Salonica. But until some solution is found, the Greek public's wheat is in danger of rotting in the ship's holds.

The story is fairly adventurous and begins last November in the Iran-Iraq war zone: The Greek ship "Moiras" was hit by Iraqi rockets and sank; as a result, its Iranian pilot was injured. The Iranian authorities demanded indemnity for the injury and in order to "secure" their demand they detained the two ships "Mighty Breeze" and "Katerina" which belong to the above-mentioned Panamanian companies. They did this on the grounds that the ships had the same agent and were chartered by the same shipping companies as the ship sunk by the Iraqis.

In turn, the two affected companies, because of the forced immobilization of their ships at the Iranian port, sought an indemnity of 235 million drachmas (212 million for the first company, 23 million for the second) and to secure their demand they resorted to seizing the KYDEP wheat.

It appears the affair will not end here: A second cargo of 25,000 tons of wheat, which is being loaded at this moment in Kavala, is "in danger" of having the same fate.

Aside from the Iranian state, which has not sent a representative to the proceedings thus far, also involved in the affair are the Swiss "Noga" (which is reported to be a subsidiary of a large Swiss bank which does business on behalf of the Iranian government), KYDEP, the Agricultural Bank, which financed the collecting of the wheat from the farmers, and the company which owns the "Adaïos."

And, of course, the Greek authorities have become involved: The minister of justice, with his document number 5592/22 January 1982, gave permission for the case to be committed to the Greek courts, as is required for civil disputes with a foreign state. But the appropriate customs authorities in Kavala, where part of the cargo was loaded, refused to hand over the ship's loading documents which are needed to ascertain if in fact the cargo is destined for Iran, citing certain articles of the Civil Justice Code Concerning Trade Secrecy, etc.

However, a new provisional order for surrender of the documents has already been issued by the court to the customs authorities in Salonica where the "Adaïos" is now located.

But suddenly a new "front" has opened in this battle. The Agricultural Bank and KYDEP are asking for the cargo to be seized on their behalf in order to ensure that they will be paid by the Swiss "Noga" for their claim which amounts to 380 million drachmas (value of the cargo with interest, etc.). This because--as they report in the application for insurance measures which they lodged against the Swiss--the cargo is "f.o.b." [free on board], that is, payable on loading, and "Noga" unilaterally altered the original agreement by refusing to deposit the documents required for payment of the cargo's value at the Commercial Bank.

This application is going to be discussed in the Thessaloniki One-Judge Court of First Instance, together with the application made by the "Katerina's" owner against the Iranian state, with the same goal: seizure of the 25,000 tons of wheat which appear to have been turned into a "booty" claimed from many sides.

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CSO: 5200/5306

BRIEFS

FREIGHTER DETAINED IN TURKEY--A Greek freighter is being detained by Turkish authorities for investigation. According to the APE [Athens News Agency], Turkish police have accused members of the crew of the "Katie" of writing slogans in the Turkish port of Ordu. The captain of the ship has refused to give up the accused crew members and as a result Turkish authorities are continuing to detain the ship. A government spokesman has announced that the Ministry of Foreign Affairs has assumed responsibility and has been in touch with the Greek freighter through the Ministry of Merchant Marine. There has been no official demarche to the Turkish Embassy in Athens so far. [Text] [Athens RIZOSPASTIS in Greek 13 Feb 82 p 10]

SAILORS DETAINED IN LIBYA--Three Greek sailors have now been detained for a whole year on their vessel in Misratah, Libya, accused of violating Libyan territorial waters, despite the fact that they have been found innocent twice already by Libyan courts. The fishing boat "Olympiakos" was captured on 21 February 1981, with a crew of 8 (5 Egyptians and 3 Greeks). Libyan authorities freed the Egyptians and extradited them, but they are still holding the Greek crew members. They are Giannis Dalianis, skipper, G. Tsopanoglou, ship engineer and Al. Trikoloris, boatswain. In a telegram to Prime Minister Papandreou, the Panhellenic Union of Merchant Marine Engineers has stressed that the vessel has been irregularly re-plied by the Libyan army. The sailors have not been told the reason for their detention or when they could expect to depart. Their families' concern is well-founded. According to information from the engineers' union, the crew of the ship "Delta" is in a similar situation, having also been detained in Libya for a long time. [Text] [Athens TO VIMA in Greek 18 Feb 82 p 7]

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